

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

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In Re:

**Melissa Henderson**

Case No. 10-80670

Chapter 13

Social Security No. xxx-xx-9962

Address: 3004 University Drive, Durham, NC 27707-

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Debtor

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**OBJECTION TO CLAIM**

**NOW COMES** the Debtor above-named, through counsel, pursuant to 11 U.S.C. §502 and Bankruptcy Rule 3007, who respectfully objects to the proof of claim filed by the creditor CHASE HOME FINANCE L.L.C. and dated July 12, 2010, for the following reasons:

1. The Proof of Claim asserts that Chase Home Finance, LLC. ("Chase") is entitled to attorneys' fees in the amount of \$300.00 for filing of this Proof of Claim.
2. Upon information and belief, this portion of the Proof of Claim is based on a writing between Chase and its attorney, which presumably details the obligations and services required.
3. That a copy of such writing has not been included with the Proof of Claim nor has a statement of the circumstances of the loss or destruction of such writing been included
4. That such writing is necessary to determine the reasonableness of fees as required under both 11 U.S.C. §506(b) and Paragraph 25 of the Deed of Trust.

**WHEREFORE**, the Debtor prays that the Court enter an Order reducing the claim to the sum of \$4,836.12 .

Dated: September 8, 2010

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s Edward Boltz

Edward Boltz

N.C. State Bar No. 23003

6616-203 Six Forks Road

Raleigh, N.C. 27615

(919) 847-9750

claimomd.wpt (rev. September 2, 2009)

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**CERTIFICATE OF SERVICE**

I, Renee Nolte, certify under penalty of perjury that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age and that on September 8, 2010. I served copies of the foregoing **OBJECTION TO CLAIM** electronically or, when unable, by regular first-class U.S. mail, addressed to the following parties:

CHASE HOME FINANCE L.L.C.

**Attn: Managing Agent**

10790 Rancho Bernardo Road

San Diego, CA 92127-

Seaan Corcoran

Attorney for CHASE HOME FINANCE L.L.C.

5121 Parkway Plaza Drive

Suite 300

Charlotte, NC 28217-

U.S. Bankruptcy Administrator

Richard M. Hutson, II

Chapter 13 Trustee

/s Renee Nolte

Renee Nolte